

Application No. 10/560,918 - - - - 4

## REMARKS

Claims 9 and 17 are pending in the present application.

### Objections to the Specification.

The Office Action indicates that the benefit statement on page 1 of the application should include the foreign priority information. In the previous response, Applicants indicated that all foreign and domestic priority benefit requirements have been complied with in this application. Applicants maintain this position; however, in the interests of advancing prosecution, the statement on page 1 of the application has been amended to list the claim of priority to the European Application to which benefit was already claimed in the Declaration filed with the present application.

### Rejections Under 35 U.S.C. §102.

Claims 9 and 17 stand rejected under 35 U.S.C. §102 as allegedly being anticipated by Krstenansky *et al.* This rejection clearly is unwarranted. Claim 9 is directed to a peptide having the sequence of SEQ ID NO: 1 or a portion of SEQ ID NO: 1 consisting of at least 9 consecutive amino acid residues thereof and having a specified MHC class II binding activity. According to the Office Action, SEQ ID NO: 1 of the reference discloses an 11 amino acid peptide which is a portion of SEQ ID NO: 1 of the present application. The Office Action asserts that the reference discloses the peptide sequence T P K P E S H N D G D, which is a portion of SEQ ID NO: 1 of the present claims. This assertion is incorrect, however. In fact, the sequence in the reference actually has the following amino acid residue sequence: T P K P Q S H N D G D; i.e., the sequence of the reference includes a glutamine residue (Q or Gln) between the proline (P) and serine (S) residues, while the sequence in claim 9 has a glutamic acid (E or Glu) residue in this position. In addition, the reference does not teach or suggest the MHC class II binding activity of the claimed peptides. Thus, the reference does not anticipate the present claims. Withdrawal of the rejection is requested.

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Claim 9 also stands rejected under 35 U.S.C. §102 as allegedly being anticipated by Maraganore *et al.* This rejection is unwarranted as well. As in the case of Krstenansky *et al.* the reference discloses a sequence having a glutamine residue (Q or Gln) between the proline (P) and serine (S) residues, while the sequence in claim 9 has a glutamic acid (E or Glu) residue in this position. The Office Action incorrectly identifies a Gln residue in the referenced sequence as a Glu residue. Accordingly, withdrawal of this rejection is also warranted.

**Conclusion.**

Reconsideration, allowance of the claims, and early passing of this application to issue is solicited. In the event the forgoing is deemed unpersuasive, Applicants request that the present amendment be entered to place the application in better form for appeal.

Respectfully submitted,

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